

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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5 NML CAPITAL, LTD.,

6 Plaintiff,

7 vs.

8 THE REPUBLIC OF ARGENTINA,

9 Defendant.
10

2:14-cv-00492-RFB-VCF

ORDER

11 Before the Court are the Request to Reinstate Motion for Sanctions (ECF No. 243), and the
12 Motions to Withdraw as Counsel of Record (ECF Nos. 292 and 295). The Court held a hearing and heard
13 representations from the parties. The Motions to Withdraw are granted for the following reasons.

14 **Discussion**

15 This action commenced on April 1, 2014. (ECF No. 1). Local Rule IA 11-6 provides that “[e]xcept
16 for good cause shown, no withdrawal or substitution will be approved if it will result in delay of discovery,
17 the trial, or any hearing in this case.” Trial date has not been set.

18 Nevada Rule of Professional Conduct 1.16(a)(3) provides that a lawyer may withdraw if the “[t]he
19 lawyer is discharged.” Here, based on counsel’s representation that M.F. Corporate Services (Nevada)
20 Limited has dissolved and MF Legal Services is no longer able to function as an ongoing business, the
21 Court permits counsel to withdraw. (ECF Nos. 292 at 3 and 295 at 3) LR IA 11-6(b); NRPC 1.16(a)(3).
22 The Court finds that permitting counsel to withdraw would not result in delay. LR IA 11-6(e).

23 28 U.S.C. § 1654 provides that “[i]n all courts of the United States the parties may plead and
24 conduct their own cases personally.” See *C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th
25 Cir. 1987). Although individuals may represent themselves pursuant to this statute, a corporation is not

1 permitted to appear in Federal Court unless it is represented by counsel. *U.S. v. High Country*
2 *Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). An individual also does not have the right to
3 appear on behalf of anyone other than himself. Pope, 818 F.2d at 697. The Ninth Circuit has permitted
4 motions to strike and motions to dismiss pleadings filed by pro se parties on behalf of entities including
5 trusts. *Id.* at 698; *United States v. Nagy*, C11-5066BHS, 2011 WL 3502488 (W.D. Wash. Aug. 10, 2011).
6 M.F. Legal Services and M.F. Corporate Services (Nevada) Limited may not proceed *pro se*, as
7 corporations must be represented by counsel. The Court finds that permitting counsel to withdraw would
8 not result in delay. LR IA 11-6.

9 Accordingly, and for Good Cause Shown,

10 IT IS HEREBY ORDERED that NML Capital, LTD.'s Request to Reinstate Motion for Sanctions
11 (ECF No. 243) to Court's pending Motion Calendar (ECF No. 291) is GRANTED.

12 IT IS FURTHER ORDERED that the Motions to Withdraw as Counsel of Record (ECF Nos. 292
13 and 295) are GRANTED.

14 In order to provide for a reasonable notice and opportunity to be hearing on issues remaining in
15 this case, IT IS FURTHER ORDERED that M.F. Corporate Services (Nevada) Limited and M.F. Legal
16 Services have until March 9, 2018 to designate new counsel. If M.F. Corporate Services (Nevada) Limited
17 and M.F. Legal Services are unable to designate new counsel by March 9, 2018, IT IS ORDERED that
18 they designate an agent in Nevada for service of papers filed in this case and provide current functioning
19 email addresses for every party they represent in this case. If no counsel is designated by March 9, 2018,
20 and if liability for sanctions are ordered, it will be ordered solely on the briefing of the Motion for
21 Sanctions (ECF No. 243). The amount of sanctions will necessarily be the subject to further briefing if
22 required.

23 The Clerk of Court is directed to mail and email a copy of this order to the following address(es):

24 M.F. Corporation Services (Nevada) Limited
25 6550 South Pecos Rd., Suite 120

1 Las Vegas, Nevada 89120

2 MF Legal Services f/k/a Mossack Fonseca & Co.
3 P.O. Box 0832
4 WTC
5 Panama, Republic of Panama
6 Via e-mail: pancorp@mossfon.com

7 Patricia Anumategui
8 6550 South Pecos Rd, Suite 120
9 Las Vegas, Nevada 89120

10 The Clerk of Court is directed to terminate Patricia Anumategui as a party in this case.

11 IT IS SO ORDERED.

12 DATED this 7th day of February, 2018.



13 CAM FERENBACH
14 UNITED STATES MAGISTRATE JUDGE
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